

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MARIANIST PROVINCE OF THE UNITED )  
STATES and ST. JOHN VIANNEY HIGH )  
SCHOOL, INC., )  
 )  
Plaintiffs, ) No. 4:17-CV-805 RLW  
 )  
v. )  
 )  
CITY OF KIRKWOOD, )  
 )  
Defendant, )  
 )  
and )  
 )  
BOARD OF ADJUSTMENT OF THE )  
CITY OF KIRKWOOD, )  
 )  
Respondent. )

**JUDGMENT**

In accordance with the Memorandum and Order entered this day and incorporated herein,

**IT IS HEREBY ORDERED, ADJUDGED and DECREED** that Plaintiffs' Motion for Partial Summary Judgment Pursuant to Fed. R.Civ. P. 56(C) (ECF No. 58) is **DENIED** and Defendants' Cross-Motion for Partial Summary Judgment (ECF No. 72) is **GRANTED**. The Court **AFFIRMS** the order and judgment of the Board of Adjustment denying the variance. Plaintiffs' claims are **DISMISSED** with prejudice.

Dated this 7th day of September, 2018.

  
RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE